

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-cv-10573-RWZ

JOSEPH SCHMITT,
Plaintiff,

v.

MASSACHUSETTS DEPARTMENT
OF CORRECTION, ET AL.,

Defendants.

**DEFENDANT'S OPPOSITION PLAINTIFF'S MOTION FOR
COURT ORDER FOR PRODUCTION OF DOCUMENTS**

Now come the defendants and oppose plaintiff's "Motion for Court Order for Production of Documents In Conjunction with Plaintiff's Response to Defendants' Opposition and Motion to Strike Plaintiff's Emergency Motion for Court Order Regarding Legal Photocopies."

Plaintiff's Motion should be **DENIED** because it improperly seeks to conduct discovery regarding the subject of a motion, not the underlying subject of this litigation. The motion also seeks information regarding grievances filed by other inmates. This information constitutes CORI and may not be provided to plaintiff.

Wherefore, for the foregoing reasons, plaintiff's Motion for a Court Order for Production

of Documents should be **DENIED**.

Respectfully submitted,

NANCY ANKERS WHITE
Special Assistant Attorney General

/s/ Jody T. Adams

DATED: January 26, 2007

Jody T. Adams, Counsel
B.B.O. # 633795
Department of Correction, Legal Division
70 Franklin Street, Suite 600
Boston, MA 02110-1300
(617) 727-3300 ext. 169

CERTIFICATE OF SERVICE

I hereby state under the pains and penalties of perjury that I did this day serve a photocopy of the above document upon plaintiff (pro se) via first class mail.

Date: 1/26/07

/s/ Jody T. Adams

Jody T. Adams, Counsel